

§17-2028-5

(b) The occupancy guidelines shall provide for minimum and maximum unit sizes depending on the number of persons in a household for purposes of determining unit size for the wait list. The occupancy guidelines are not to be confused with the corporation's occupancy standards, which are based on prevailing county building codes. [Eff JUL 21 2005] (Auth: HRS §201G-15) (Imp: HRS §201G-32; 24 C.F.R. §960.204).

§17-2028-6 Occupancy standards. Applicant and tenant shall abide by the occupancy standards for the admission and continued occupancy in housing projects as prescribed by the occupancy standards which are incorporated by reference and attached as exhibit G. The standards follow the occupancy codes of the county in which the units are located. [Eff JUL 21 2005] (Auth: HRS §201G-15) (Imp: HRS §201G-32; 24 C.F.R. §960.204).

§17-2028-7 Utility allowances. (a) The monthly rent for a tenant residing in a federally assisted housing project shall include utility allowances established in accordance with HUD's standards for utility allowances.

(b) Utility allowances shall be calculated by determining the utility rate then multiplying it by the applicable quantity allowance. A schedule of applicable quantity allowances for lighting, electric domestic hot water heaters, miscellaneous electrical, gas domestic hot water heaters is incorporated by reference and attached as exhibit H.

(c) The corporation shall conduct a review of utility rates in January of each year. Electric and gas rate schedules for all providers shall be collected and reviewed for each month from the preceding January through December of the calendar year prior to the fiscal year beginning July 1. These monthly rates shall be averaged over the year period.

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(d) The new utility allowances shall be posted and noticed to residents at least sixty (60) days prior to the implementation date, during which time residents shall have the opportunity to present written or oral comments. The applicable schedules shall be publicly posted in a conspicuous manner at the corporation's project offices and shall be furnished upon request. The implementation date for new allowances shall be July 1.

(e) Implementation of all new allowances or components of allowances, by utility, shall be required when there is more than a ten per cent change in rates. In cases when a utility is granted a substantial rate increase in between the annual review, a mid-year allowance adjustment may be required.

(f) The corporation may update the quantity allowances. To update the quantity allowance, units of various sizes in a sampling of different types of developments shall be surveyed to determine the types of existing equipment as well as to identify any factors affecting energy efficiency. If there is a variance in energy consumption factors among housing projects, the worst case scenario shall be identified and utilized for calculating the quantity allowances.

(1) Allowances for lighting shall be developed by conducting a field survey of various units to determine the number and type of fixtures. The following factors shall be used to determine the kilowatt hour per month allowance for each unit size:

- (A) The number of fixtures;
- (B) Watts per fixture; and
- (C) Hours of use per day.

(2) Allowances for miscellaneous electric equipment shall be based upon usage of a television, radio, miscellaneous small appliances, and a fan.

(3) The allowance for refrigerators is based on a new, but non-energy efficient model. For 0, 1, and 2 bedroom units a 14 cubic foot model utilizing 155 kilowatt hours per month

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is assumed. For a 3, 4 and 5 bedroom unit, a 16 cubic foot model utilizing 165 kilowatt hours per month is assumed.

- (4) Allowances for cooking shall be 930 kilowatt hours per year for 0, 1, and 2 bedroom units, and 1140 kilowatt hours per year for 3, 4, and 5 bedroom units, respectively.
- (5) Allowances for electric domestic hot water heating shall be based on engineering calculations for each bedroom size assuming a certain number of occupants. The data used in the calculations include estimated consumption per occupant per day, temperature of incoming water, temperature of hot water supply, efficiency of heater, and energy required to heat water to supply temperature.
- (6) Allowance for solar domestic hot water shall be based on a cost analysis of a domestic hot water heating system.
- (7) Gas consumption allowances shall be developed using the same methodology as the electric consumption allowance.
- (g) The corporation shall provide medical disability allowances for residents who have provided proof of medical necessity to the corporation. The quantity allowances for medical equipment shall be as follows:
 - (1) For window air conditioners, 229 kilowatt hours per month;
 - (2) For oxygen concentrators, 219 kilowatt hours per month;
 - (3) For nebulizers, 5 kilowatt hours per month;
 - (4) For electric hospital beds, 1 kilowatt hour per month;
 - (5) For alternating pressure pads, 51 kilowatt hours per month;
 - (6) For low air-loss mattresses, 88 kilowatt hours per month;
 - (7) For power wheelchairs or scooters, 33 kilowatt hours per month;

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(8) For CPAP machines, 9 kilowatt hours per month; and

(9) For any other medical equipment, the quantity allowance shall be determined by taking the equipment's average energy consumption multiplied by the normal frequency of usage.

(h) A tenant shall pay for utility usage in excess of the applicable utility allowance.

(i) A tenant shall receive a utility reimbursement when the utility allowance exceeds the total tenant payment with the exception of tenants paying a flat rent. [Eff JUL 21 2005] (Auth: HRS §201G-15) (Imp: HRS §201G-32; 24 C.F.R. §§5.603, 5.632, 960.253, Part 965 Subpart E, §966.4)

§17-2028-8 Verification of information. An applicant or tenant shall provide documentation to verify information upon request of the staff.

[Eff JUL 21 2005] (Auth: HRS §201G-15) (Imp: HRS §201G-32; 24 C.F.R. §960.204)

§17-2028-9 Misrepresentation. An applicant may be denied admission to a housing project if the applicant has submitted false information, withheld information, or made willful misstatements. A tenant who does the same may be denied continued eligibility and have the rental agreement terminated.

[Eff JUL 21 2005] (Auth: HRS § 201G-15) (Imp: HRS 201G-32; 24 C.F.R. §966.4)

SUBCHAPTER 2

ELIGIBILITY

§17-2028-21 Applicants. (a) A person seeking admission to a housing project shall submit a completed pre-application form prepared by the

DEPARTMENT OF HUMAN SERVICES

Amendments to Chapter 17-2028
Hawaii Administrative Rules

November 16, 2005

1. §17-2028-3, exhibit E, is amended.
2. S17-2028-62, exhibit K, is amended.

§17-2028
Exhibit E

INCOME LIMITS

Income Limits for Admission

(Effective DEC 16 2005, 2005

Very Low Income

County	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Honolulu	\$23,700	\$27,100	\$30,500	\$33,900	\$36,600	\$39,300	\$42,000	\$44,700
Hawaii	\$19,950	\$22,800	\$25,650	\$28,500	\$30,750	\$33,050	\$35,300	\$37,600
Kauai	\$22,600	\$25,850	\$29,050	\$32,300	\$34,900	\$37,450	\$40,050	\$42,650
Maui	\$23,750	\$27,150	\$30,550	\$33,950	\$36,650	\$39,400	\$42,100	\$44,800

Low-Income

County	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Honolulu	\$37,950	\$43,400	\$48,800	\$54,250	\$58,600	\$62,900	\$67,250	\$71,600
Hawaii	\$31,900	\$36,500	\$41,050	\$45,600	\$49,250	\$52,900	\$56,550	\$60,200
Kauai	\$36,200	\$41,350	\$46,500	\$51,700	\$55,800	\$59,950	\$64,100	\$68,200
Maui	\$38,000	\$43,450	\$48,900	\$54,300	\$58,650	\$63,000	\$67,350	\$71,700

DEPARTMENT OF HUMAN SERVICES

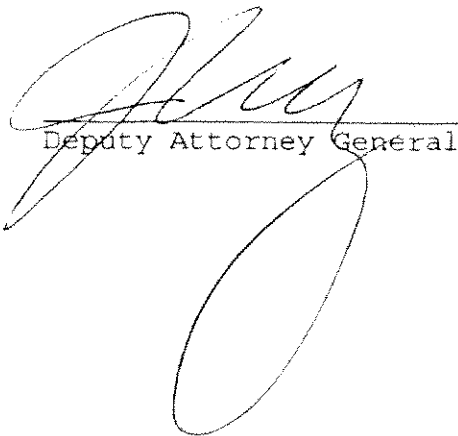
The adoption of amendments to chapter 17-2028, Hawaii Administrative Rules, on the Summary Page dated November 16, 2005 took place on _____, pursuant to the requirements of section 91-3(d), Hawaii Revised Statutes.

The repeal and adoption shall take effect ten days after filing with the Office of the Lieutenant Governor.




CHARLES A. STED, Chairperson
Housing and Community
Development Corporation
of Hawaii

APPROVED AS TO FORM:



Deputy Attorney General



for LINDA LINGLE
Governor
State of Hawaii
Date: DEC -6 2005

JAMES R. AIONA JR.
ACTING GOVERNOR

Filed.

DEPARTMENT OF HUMAN SERVICES

Amendments to Chapter 17-2028
Hawaii Administrative Rules

November 16, 2005

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\$17-2028
Exhibit K

Fair Market Rents (24 C.F.R. §888)

(Effective DEC 16 2005, 2005)

County	Studio	1 BR	2 BR	3 BR	4 BR
Honolulu	\$836	\$997	\$1,205	\$1,757	\$2,069
Hawaii	\$627	\$753	\$845	\$1,191	\$1,306
Maui	\$921	\$1,021	\$1,187	\$1,588	\$1,701
Kauai	\$739	\$832	\$1,096	\$1,375	\$1,497

DEPARTMENT OF HUMAN SERVICES

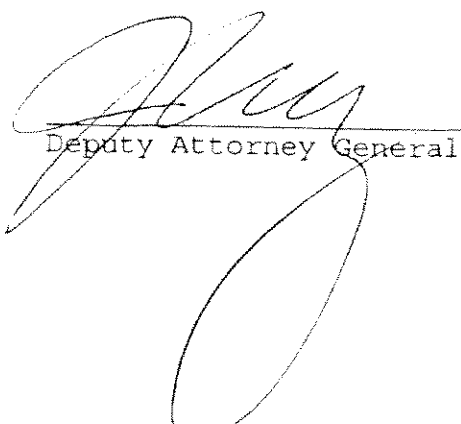
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Deputy Attorney General



LINDA LINGLE
Governor
State of Hawaii

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